



**IT IS ORDERED as set forth below:**

**Date: September 27, 2018**

*Wendy L. Hagenau*

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**Wendy L. Hagenau  
U.S. Bankruptcy Court Judge**

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**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

IN RE:

BAY CIRCLE PROPERTIES, LLC, *et al.*,<sup>1</sup>

Debtor,

CASE NO. 15-58440-WLH  
JOINTLY ADMINISTERED

CHAPTER 11

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**ORDER DENYING MOTION TO DISMISS**

**THIS MATTER** is before the Court on Sugarloaf Centre, LLC's Motion to Dismiss (the "Motion") (Doc. No. 100). Sugarloaf Centre, LLC seeks dismissal as a joint debtor and debtor-in-possession in the above-styled jointly-administered case pursuant to 11 U.S.C. § 1112. Good Gateway, LLC and SEG Gateway, LLC and Bay Point Capital Partners LP filed responses in opposition to the Motion.

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<sup>1</sup> The Debtors and the last four digits of their respective taxpayer identification numbers are Bay Circle Properties, LLC (1578), DCT Systems Group, LLC (6978), Sugarloaf Centre, LLC (2467), Nilhan Developers, LLC (6335), and NRCT, LLC (1649).

The Court held a hearing on the Motion on September 27, 2018. Debtor's counsel was present, and Walt Jones appeared as counsel for Good Gateway, LLC and SEG Gateway, LLC, Garrett Nail appeared as counsel for Bay Point Capital Partners LP, John Christy appeared as counsel for administrative expense claimant Schreeder, Wheeler & Flint LLP, and Thomas Dworschak appeared as counsel for the United States Trustee. The Court heard argument from the parties. For the reasons stated on the record, which the Court reserves the right to supplement,

**IT IS ORDERED** that the Motion is **DENIED WITHOUT PREJUDICE**.

The Clerk's Office is directed to serve a copy of this Order on Debtors, counsel for the Debtors, counsel for Good Gateway, LLC and SEG Gateway, LLC, counsel for Bay Point, the United States Trustee, and all other parties on the mailing matrix.

**END OF ORDER**